

Memo

Environment

To:	Steven Findlay , Development Assessment Manager
From:	Mitchell Drake, Planner
Date:	19 January 2017
Application Number:	Mod2016/0310
Address:	Lot 35 DP 209826 , 13 Windermere Place WHEELER HEIGHTS NSW 2097
Proposed Modification:	Modification of Development Consent DA2015/0543 granted for Alterations and Additions to an existing dwelling house

Background

The abovementioned development consent was granted by Council on DA2015/0543 Dated: 08/09/2015 for Alterations and addition to existing dwelling house and MOD2016/0201 Dated: 16/08/2016 for to correct erroneous conditions

Details of Modification Application

Under Section 96(1) of the EPA Act 1979, a consent containing an error or mis-description may be amended. Warringah DCP (A7 Notification) does not require the notification of Section 96(1) modification applications as they are considered to be for minor changes that do not affect the development or the amenity of adjoining properties.

The application seeks to modify condition(s) No.15A, which reads as follows:

15A Vehicle Crossing

The provision of one vehicle crossing 4m wide at kerb and 5.5m wide at the boundary in accordance with Warringah Council Drawing No A4-3330/ 6 MH and specifications. An Authorised Vehicle Crossing Contractor shall construct the vehicle crossing and associated works within the road reserve in plain concrete. All redundant laybacks and crossings are to be restored to footpath/grass. Prior to the pouring of concrete, the vehicle crossing is to be inspected by Council and a satisfactory "Vehicle Crossing Inspection" card issued.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To facilitate suitable vehicular access to private property. (DACENE05)

Consideration of error or mis-description

A review of the original condition 15A and the site constraints indicates that the condition cannot be complied with, thus the alternative driveway solution has been negotiated between the applicant and Councils Development Engineers.

Conclusion

NORTHERN BEACHES COUNCIL

It is considered that the modification is minor in nature and consistent with the provisions of section 96 (1) of the EPA Act 1979 and is therefore recommended for approval.

Recommendation

THAT Council as the consent authority approve Modification Application No. Mod2016/0310 for Modification of Development Consent DA2015/0543 granted for Alterations and Additions to an existing dwelling house on land at Lot 35 DP 209826, 13 Windermere Place, WHEELER HEIGHTS, as follows:

A. Modify Condition 15A Vehicle Crossing to read as follows:

15A Vehicle Crossing

The provision of one vehicle crossing 4m wide at kerb and 5.5m wide at the boundary in accordance with Warringah Council Drawing No A4-3330/ 6 MH and specifications. An Authorised Vehicle Crossing Contractor shall construct the vehicle crossing and associated works within the road reserve in plain concrete. All redundant laybacks and crossings are to be restored to footpath/grass. Prior to the pouring of concrete, the vehicle crossing is to be inspected by Council and a satisfactory "Vehicle Crossing Inspection" card issued.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To facilitate suitable vehicular access to private property. (DACENE05)

I am aware of Warringah's Code of Conduct and, in signing this report, declare that I do not have a Conflict of Interest.

Signed

Mitchell Drake, Planner

The application is determined under the delegated authority of:

Steven Findlay, Development Assessment Manager

ATTACHMENT A

No notification plan recorded.

ATTACHMENT B

No notification map.

NORTHERN BEACHES COUNCIL

ATTACHMENT C

Reference Number	Document	Date
 MOD2016/0310	13 Windermere Place WHEELER HEIGHTS NSW 2097 - Section 96 Modifications - Section 96 (1a) Minor Environmental Impact	22/11/2016
 2016/381164	DA Acknowledgement Letter - Carolina Sacco - Lucia Sacco - Luigi Sacco	22/11/2016
 2016/381921	Modification Application Form	22/11/2016
 2016/381923	Applicant Details	22/11/2016
 2016/381924	E-mal letters	22/11/2016
 2016/381926	Plans - Driveway	22/11/2016
 2016/381925	Plan Master Set	22/11/2016
 2016/417502	Development Engineering Referral Response	22/12/2016
 2017/007082	Engineering Referral Response	09/01/2017